




# KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	<b>SECTION NUMBER</b>  <b>11-120</b>	<b>PAGE NUMBER</b>  <b>1 of 5</b>
		<b>SUBJECT:</b>  <b>DECISION MAKING: Offender Community Identification</b>	
<b>Approved By:</b>  <b>Secretary of Corrections</b>		<b>Original Date Issued:</b> <b>04-21-04</b>	
		<b>Current Amendment Effective:</b> <b>06-01-07</b>	
		<b>Replaces Amendment Issued:</b> <b>04-21-06</b>	
<b>Reissued By:</b>  <b>Policy &amp; Procedure Coordinator</b>		The substantive content of this IMPP has been reissued as per the appropriate provisions of IMPP 01-101. The only modifications within the reissue of this document concern technical revisions of a non substantive nature.  <b>Date Reissued:</b> <b>07-15-11</b>	

## POLICY

Reasonable attempts shall be made to ensure that every offender who is released from a correctional facility has immediate access to identification necessary to seek employment and function lawfully in the community, with the exception of offenders with an INS detainer or who were born in another country. Any driver's license, social security card, birth certificate or other form of identification in an offender's possession at entry shall be retained in the master file in Records.

At the time of admission, information about the status of the offender's driver's license shall be captured, and if the offender has a suspended license this issue shall be noted in the summary of needs. As part of case management, the offender shall be counseled about steps he or she can take prior to release to address the suspended license, in particular to make payments against any fines in anticipation of release.

Before release, each offender who does not have these items shall have the opportunity to obtain a birth certificate and social security card. Contact and application information for obtaining these items shall be maintained by the warden's designee in the facility. Whenever possible by the term of the offender's sentence, no less than six months before release, the offender's assigned corrections counselor shall assist the offender in making application for a birth certificate and social security card. At the time of release, the facility shall provide the offender with identification for use after release, unless the offender was committed and served his/her sentence under an alias.

Within five days after release, the assigned parole officer shall assist the offender in applying for a driver's license if the offender is eligible to receive one; if not, an application shall be made for a state identification card.

## DEFINITIONS

**Indigent offender:** An offender whose inmate trust account during the previous month has a cumulative expendable amount of less than \$12.00. The cumulative expendable amount shall be determined by adding all deposits made during the month to the beginning account balance and subtracting fines, fees, restitution, garnishments, forced savings, and payments or encumbrances for court filing fees applied during the month. Amounts voluntarily withdrawn from the inmate's account shall not be subtracted from the sum of the beginning balance and deposits.

## **PROCEDURES**

### **I. RDU**

- A. During the reception evaluation, RDU staff shall inquire of the offender as to the last status of his or her driver's license, social security card and birth certificate. If the offender has a suspended license, and/or has fines due related to his or her driver's license, this information shall be included in the summary of needs for this offender. If the offender does not have a social security card or birth certificate, the need to obtain these items prior to release shall be included in the summary of needs for this offender.

### **II. A & D**

- A. When an offender arrives at a facility for admission and has in his or her possession any form of identification, including driver's license, birth certificate, social security card, or other, these items shall be forwarded by A&D to the Records Department to be maintained in the offender's master file. These items shall not be sent away from the facility to another location, including being mailed to the offender's last known residence, nor released to the offender's family.
- B. Before an offender is released, A&D shall provide the offender with his facility identification as defined in this policy for use after release, unless the offender was committed and served his/her sentence under an alias.
1. Before giving the offender the identification badge, the magnetic strip shall be disabled.

### **III. CLASSIFICATION & RECORDS**

- A. The Classification Administrator of each facility or his/her designee shall establish an orientation session for each offender entering the facility, which involves addressing identification with the offender; informing the offender of the need to obtain necessary documents for getting his/her identification or license at the time of release; and, providing the offender with written information about how to seek identification material as outlined in this policy.
- B. The Records Office shall establish in each master file an envelope on the inside of the file, and shall maintain any offender identification items in that envelope until the offender's release.
- C. The Classification Administrator shall identify one person in the facility who shall be responsible for maintaining current contact information and application forms for:
1. Obtaining social security cards through the Social Services Administration.
2. Obtaining birth certificate through the appropriate state agency of all fifty states.
3. Selective service registration for males aged 18-25.
- a. This information shall include Internet addresses to retrieve applications for social security cards or birth certificates, and hard copies of current application forms. This information shall be made available to all unit team staff in the facility either by direct access to a public folder with Internet address to access applications, or through the designated person identified in this section.
- D. Internet addresses and application forms shall be updated on a regular basis. The designated person shall check for updates on no less than a quarterly basis.
- E. The Classification Administrator shall identify one position who shall be responsible to serve as

a liaison to the Department of Motor Vehicles for accessing information in appropriate cases to determine what the offender needs to do to address a suspended license (such as paying fines), per section IV.A. below.

#### IV. UNIT TEAM

- A. As part of ongoing case management, unit team staff shall address with offenders the issue of obtaining his/her driver's license, particularly in those cases where the summary of needs indicates the offender has an issue with a suspended driver's license. This shall include encouraging the offender to prepare for release by using available funds to reduce or pay off any fines or other costs pending which must be paid before a driver's license will be issued to the offender.
  - 1. The liaison to the Department of Motor Vehicles in the Records Office (per section III.C.) shall assist the unit team in making contact with the DMV to obtain information about the reasons for the suspension and what action the offender needs to take to address the suspension in anticipation of release.
- B. Except for offenders serving 180 days or less for a condition violation or offenders with less than six (6) months time to serve on an original sentence, no less than six (6) months prior to the date an offender is scheduled for determinate release, condition release, or parole eligibility, the corrections counselor assigned to the offender shall review the issue of identification with the offender. Unless the offender already has a birth certificate and social security card, the corrections counselor shall provide the offender with necessary information and forms needed to assist the offender in making application for both items. In addition, for male offenders aged 18-25, any offender who has not registered for the selective service shall be advised of their obligation to register with the selective service, and given information on how to do so.
- C. If an offender is serving 180 days or less, as soon as the offender is assigned, the corrections counselor shall address the issue of identification with the offender.
  - 1. If the offender does not have a social security card, an application shall be processed immediately.
  - 2. If time permits, an application shall be made for a birth certificate.
- D. Application forms shall be obtained from Records above; the corrections counselor shall assist the offender, as necessary, in completing and processing the applications.
- E. The return address for forwarding the social security card or birth certificate shall be the Records Department of the facility where the offender is housed at the time the application is made if the offender has 180 days or more to serve. Otherwise, the return address shall be to the parole officer where the offender will be supervised upon release, or to the offender's home address if the offender is going to discharge his sentence at the next release.
- F. To process an application for a Kansas birth certificate, the cover memo to the Kansas Department of Vital Statistics at Attachment A shall be completed by the assigned corrections counselor, and forwarded with the offender's application to the Department of Vital Statistics.
  - 1. If the offender was born in a different state, the form required by that state shall be used and the requirements for processing that form shall be met.
    - a. The offender shall be responsible for all costs incurred in the process of obtaining a birth certificate unless the offender is indigent and lacks sufficient monies in his or her forced savings. If the offender is indigent in regard to both accounts, the corrections counselor shall contact the business office of the facility to access funds through the Inmate Benefit Fund for any cost of the birth certificate. Any funds paid by the inmate for obtaining identification items

shall not count against his or her weekly spending limit as established by IMPP 11-101.

- G. When the social security card and/or birth certificate arrive the Records Department shall place these items in the master file as indicated at Section I above.
  - 1. If the offender has transferred to another facility, the Records Department receiving the social security card or birth certificate shall forward the same to the Records Department of the facility where the offender has transferred to, and that Records Department shall place the items in the mater file.
  - 2. If the offender has been released, the items shall be forwarded to,
    - a. The offender's parole officer if the offender is under supervision.
    - b. The offender's last known address if the offender discharged and is not under supervision.
- H. When the social security card and/or birth certificate arrive, and are placed in the master file, the Records Department shall notify the offender's assigned corrections counselor.
- I. If the corrections counselor who assisted the offender in applying has not received notice of receipt of the item(s) within thirty (30) days, he or she shall follow up and determine the status.

#### **V. IPO**

- A. At the time of the offender's release, the Institutional Parole Officer shall ensure that the offender accesses the identification items in his or her master file before leaving the facility.
- B. The IPO shall assist the Classification Administrator in establishing procedures to implement this policy.
- C. The IPO shall facilitate communication between facility staff and parole staff to forward identification items that reach the facility after an offender has been released.
- D. The IPO shall serve as a liaison to the Director of Release Planning to monitor the implementation of this policy, and to advise on barriers or necessary changes in policy or procedure.

#### **VI. PAROLE**

- A. For those offenders who have a period of parole or post-release supervision, at the first contact between the parole officer and offender, the parole officer shall address the issue of identification with the offender.
- B. If the offender does not have a driver's license or state identification, within five (5) days after release the parole officer shall assist the offender in applying for a driver's license, or if he or she is not eligible for a driver's license, for a state identification. This assistance shall include,
  - 1. Providing the offender with information about how and where to apply.
  - 2. Providing the offender with a certificate of identification and photograph if necessary, per IMPP 14-160.
  - 3. Assist the offender in getting to the local driver's license bureau to get a license or state identification card.
  - 4. If the offender is ineligible for a driver's license, as part of case management, the parole officer shall address with the offender a plan for satisfying fines and complying

with a suspension order, including by addressing financial issues and a plan to pay any fines due, and by addressing alternative transportation for work and parole meetings, and other obligations, if the offender's license is suspended. Goals regarding the driver's license shall be included in the offender's case plan.

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

#### **REPORTS REQUIRED**

None.

#### **REFERENCES**

IMPP 12-120

#### **ATTACHMENTS**

Attachment A –Cover Memo to Kansas Department of Vital Statistics-1 page

## MEMO

TO: Kansas Department of Vital Statistics  
1000 S W Jackson, Suite 110  
Topeka, KS 66612  
ATTENTION: Birth Certificate Applications Section

FROM: Corrections Counselor \_\_\_\_\_  
Contact phone number: \_\_\_\_\_  
\_\_\_\_\_ Correctional Facility

RE: Inmate Name: \_\_\_\_\_  
Inmate Number: \_\_\_\_\_  
DOB: \_\_\_\_\_  
SS#: \_\_\_\_\_

DATE: \_\_\_\_\_

With this memo I'm sending you an application by the above named inmate for a birth certificate. This will confirm that this inmate is currently incarcerated at the correctional facility indicated; under the inmate number indicated; and that she/he needs a birth certificate for purposes of identification upon release after the end of his/her prison sentence. The application includes a check for payment for processing this request in the amount of \$\_\_\_\_\_.

Please return the birth certificate to our Records division at the following address:

\_\_\_\_\_  
\_\_\_\_\_

The birth certificate will be retained in the inmate's original file for safekeeping until she/he is released, and then it will be given to the inmate. If for some reason this inmate is transferred to another facility, or released to community supervision, before the birth certificate is returned, we will forward the birth certificate to his/her new counselor or parole officer immediately.

Thank you for your assistance in this matter.

Enclosure – Application & Check